

**MINUTES OF THE REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
SEPTEMBER 17, 2008**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, September 17 2008, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Due to the length of prior public hearings, Presiding Officer Mayor William J. Schmitt called the meeting that was advertised for 7:00 p.m. to order at 7:03 p.m.

Roll Call.

Mayor William J. Schmitt	Present
Council members:	
John Schroeder	Present
David Prectel	Present
Thomas Schmidt	Absent
Ambrose 'Butch' Schitter	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. Six of the seven council members were in attendance, which is a majority; therefore, there was a quorum for the meeting.

Approval of the Minutes:

The following minutes were distributed to and examined by the Council:

1. August 20, 2008 regular Common Council meeting
2. August 20, 2008 6:40 p.m. public hearing concerning the petition of Ann Neal Corp and Uebelhor Oil, Inc. to rezone Lots 1, 105 and 106 in Northwood Park from B-1 to B-3
3. August 20, 2008 6:50 p.m. public hearing concerning Ordinance No. 2008-15 an ordinance regulating control of post construction storm water runoff
4. September 3, 2008 budget public hearing
5. August 13, 2008 special meeting with the school board to hear a presentation concerning the former Middle School building

A **motion** was made by Councilmember Ambrose 'Butch' Schitter and seconded by Councilmember Kevin Manley to approve the minutes as published. Motion carried 6-0.

INSHARP AWARD PRESENTATION

Personnel/Safety Director Charles Schneider introduced Commissioner of Labor Lori Torres and INSHARP Manager John Duncan who were in attendance to present the INSHARP recertification award to the City of Jasper.

Schneider then introduced the city employees who serve on the safety committee and who helped to achieve this award. They are Tim Berger, Mike Dorsam, Jeff Durcholz, Al Kiefer, Duane Lindauer, Mark Pierce, Jared Reinbold, Jim Stallman, and J.P.Stemply. Schneider gave a special thanks to HR Assistant Cindy Hochgesang for maintaining excellent records.

Torres then presented the INSHARP recertification award to Mayor Schmitt and commented that Jasper is the only municipality in the state to have earned this award.

Mayor Schmitt said it was a great honor to accept this award on behalf of the City. Schmitt said our number one asset is our employees and at the end of the day what we want is for everyone to go home safely to their families.

Utility Service Board. General Manager of Utilities Gerald 'Bud' Hauersperger gave a report of the regular monthly Utility Service Board meeting held on September 15, 2008. Copies of the report are supplied to each councilmember.

CITY OF JASPER 2009 HOLIDAY SCHEDULE

The following 2009 Holiday Schedule was presented to the board for their approval:

<u>HOLIDAY</u>	<u>ACTUAL DATE</u>	<u>OBSERVED DATE</u>
New Year's Day	Thursday, January 1	Thursday, January 1
Good Friday	Friday, April 10	Friday, April 10
Memorial Day	Monday, May 25	Monday, May 25
Independence Day	Saturday, July 4	Friday, July 3
Labor Day	Monday, September 7	Monday, September 7
Veteran's Day	Wednesday, November 11	Wednesday, November 11
Thanksgiving Day	Thursday, November 26	Thursday, November 26
Christmas Eve	Thursday, December 24	Thursday, December 24
Christmas Day	Friday, December 25	Friday, December 25
New Year's Eve	Thursday, December 31	Thursday, December 31

A **motion** was made by Councilmember John Schroeder and seconded by Councilmember David Prechtel to approve the 2009 Holiday Schedule as presented. Motion carried 6-0.

ORDINANCE NO. 2008-25 AN ORDINANCE VACATING A PUBLIC UTILITY AND DRAINAGE EASEMENT

This ordinance vacates public utility and drainage easements in the Bohn-Villa subdivision.

A motion was made by Councilmember Ray Howard, seconded by Councilmember Ambrose 'Butch' Schitter and approved 6-0 to read the ordinance for one reading only. Thereafter, a motion was made by Councilmember Randy Buchta, seconded by Councilmember David Prechtel and approved 6-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Kevin Manley, and approved 6-0 to pass and adopt Ordinance No. 2008-25.

Under discussion, Mayor Schmitt said the public hearing was held earlier this evening and there were no remonstrators. The two persons representing the Haas Family Estate provided the City Attorney with the ingress and egress easement as requested.

ORDINANCE NO. 2008-23 AN ORDINANCE AMENDING SECTION 6 (1) OF ORDINANCE NO. 546, ENTITLED AN ORDINANCE PROVIDING FOR A UNIFORM CODE FOR TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF JASPER, INDIANA—STOP INTERSECTIONS DESIGNATED

This ordinance adds a one-way stop intersection on Energy Drive at State Road 162. The amendment was recommended by the Board of Public Works and Safety.

A motion was made by Councilmember David Prechtel, seconded by Councilmember Ambrose 'Butch' Schitter and approved 6-0 to read the ordinance for one reading only. Thereafter, a motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember John Schroeder and approved 6-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember Randy Buchta, seconded by Councilmember Ray Howard, and approved 6-0 to pass and adopt Ordinance No. 2008-23.

ORDINANCE NO. 2008-24 AN ORDINANCE AMENDING ORDINANCE NO. 1997-23, ENTITLED AN ORDINANCE DESIGNATING "TWO HOUR PARKING" AND "ALL DAY PARKING WITH A PERMIT" IN THE CITY OF JASPER, RULES AND REGULATIONS GOVERNING THE SAME, AND PROVIDING FOR FINES FOR THE VIOLATION THEREOF

This ordinance designates the 6th and Mill Street parking lot as all day parking with permit or two-hour parking. The amendment was recommended by the Board of Public Works and Safety.

A motion was made by Councilmember Kevin Manley, seconded by Councilmember Ambrose 'Butch' Schitter and approved 6-0 to read the ordinance for one reading only. Thereafter, a motion was made by Councilmember Randy Buchta, seconded by Councilmember David Prechtel and approved 6-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by

Councilmember Randy Buchta, and approved 6-0 to pass and adopt Ordinance No. 2008-24.

ORDINANCE NO. 2008-26 AN ORDINANCE VACATING A PUBLIC UTILITY AND DRAINAGE EASEMENT

This ordinance vacates a public utility and drainage easement in Patoka Zentrum II and III.

A motion was made by Councilmember David Prechtel, seconded by Councilmember Ambrose 'Butch' Schitter and approved 6-0 to read the ordinance for one reading only. Thereafter, a motion was made by Councilmember Randy Buchta, seconded by Councilmember John Schroeder and approved 6-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember Ray Howard, seconded by Councilmember Kevin Manley, and approved 6-0 to pass and adopt Ordinance No. 2008-26.

ORDINANCE NO. 2008-27 AN ORDINANCE AFFIXING SALARIES AND WAGES FOR THE CIVIL CITY OF JASPER, INDIANA, AND ITS EMPLOYEES FOR THE YEAR 2009.

A motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Kevin Manley and approved 6-0 to read the ordinance for one reading only. Thereafter, a motion was made by Councilmember Randy Buchta, seconded by Councilmember David Prechtel and approved 6-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember Ray Howard, seconded by Councilmember Ambrose 'Butch' Schitter, and approved 6-0 to pass and adopt Ordinance No. 2008-27.

Under discussion, City Attorney Sandra Hemmerlein said this ordinance includes a 3% increase for full time employees, a \$.20 per hour increase for permanent part time employees, and a \$.10 per hour increase for seasonal or temporary part time employees.

ORDINANCE NO. 2008-28 AN ORDINANCE AFFIXING SALARIES AND WAGES FOR THE UTILITY EMPLOYEES OF THE CITY OF JASPER, INDIANA, FOR THE YEAR 2009

A motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Randy Buchta and approved 6-0 to read the ordinance for one reading only. Thereafter, a motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Kevin Manley and approved 6-0 to have the ordinance read by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember Randy Buchta, seconded by Councilmember John Schroeder, and approved 6-0 to pass and adopt Ordinance No. 2008-28 on condition the Assistant Wastewater Manager position is removed.

ORDINANCE NO. 2008-29 AN ORDINANCE ESTABLISHING SALARIES FOR THE ELECTED OFFICIALS FOR THE CITY OF JASPER FOR THE YEAR 2009

A motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Randy Buchta and approved 6-0 to read the ordinance on first reading by title only. The ordinance was so read. Thereafter, a motion was made by Councilmember John Schroeder, seconded by Councilmember David Prechtel and approved 6-0 to pass the ordinance on first reading.

Under discussion, City Attorney Sandra Hemmerlein said the ordinance includes a 3% salary increase for the Mayor and the Clerk-Treasurer and the salary for a council member will remain the same at \$1375.00 per quarter. A Notice regarding this ordinance will need to be published two times before final adoption.

ORDINANCE NO. 2008-17 AN ORDINANCE APPROPRIATING ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE YEAR ENDING DECEMBER 31, 2008.

This ordinance appropriates additional money for the remainder of 2008. First reading was held on August 20, 2008. A Notice to Taxpayers appeared in the Herald on August 29, 2008. Mayor Schmitt then asked for public comments. No comments were received.

A motion was made by Councilmember Randy Buchta, seconded by Councilmember Ambrose 'Butch' Schitter and approved 6-0 to have the ordinance read by title only on the second reading. The ordinance was so read. Thereafter, a motion was made by Councilmember Ray Howard, seconded by Councilmember Ambrose 'Butch' Schitter, and approved 6-0 to pass the ordinance on second reading.

Thereafter, a motion was made by Council member Raymond Howard, seconded by Council member Ambrose 'Butch' Schitter and approved 6-0 to read the ordinance by title only on the third and final reading. The ordinance was so read. Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter, seconded by Council member John Schroeder to approve the ordinance on third and final reading. The motion carried 6-0 and Ordinance No. 2008-17 was passed and adopted.

ORDINANCE NO. 2008-18 AN ORDINANCE APPROPRIATING MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE YEAR 2009

This ordinance lists the 2009 budget appropriations. First reading was held on August 20, 2008. A Notice to Taxpayers appeared in the Herald on August 23 and 30, 2008. A public hearing was held on September 3, 2008.

A motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by

Councilmember David Prechtel and approved 6-0 to read the ordinance by title only on the 2nd reading. The ordinance was so read. Thereafter, a motion was made by Councilmember John Schroeder, seconded by Council member Raymond Howard and carried 6-0 to approve the ordinance on second reading.

Thereafter, a motion was made by Council member Randall Buchta, seconded by Council member David Prechtel and carried 6-0 to have the ordinance read on the 3rd and final reading by title only. The ordinance was so read. A motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Kevin Manley and approved 6-0 to pass and adopt Ordinance No. 2008-18 on the third and final reading.

ORDINANCE NO. 2008-19 AN ORDINANCE LEVYING TAXES AND FIXING THE RATE OF TAXATION FOR THE CITY OF JASPER, INDIANA, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2009.

This ordinance lists the 2009 tax rate for the advertised budget. The ordinance was passed on first reading on August 20, 2008.

A motion was made by Councilmember Ambrose 'Butch' Schitter, seconded by Councilmember Randy Buchta, and carried 6-0 to read the ordinance by title only for the second reading. The ordinance was so read. Thereafter, a motion was made by Councilmember John Schroeder, seconded by Councilmember Randy Buchta, and approved 6-0 to pass the ordinance on the second reading.

Thereafter, a motion was made by Council member Ambrose 'Butch' Schitter, seconded by Councilmember Kevin Manley and approved 6-0 to have the ordinance read by title only on the third and final reading. The ordinance was so read. Thereafter, a motion was made by Council member David Prechtel, seconded by Council member Randall Buchta, and carried 6-0 to pass and adopt Ordinance No. 2008-19 on third and final reading.

Informational meeting. Mayor Schmitt asked the council members if they were available on October 8, 2008 at 6:00 p.m. to attend an informational meeting with the Jasper Volunteer firefighters to hear a presentation about a proposed retirement plan.

Former Middle School. Council member Ambrose 'Butch' Schitter asked if the inspection report on the former Middle School was finished. Mayor Schmitt said Building Commissioner Dave Seger told him he will have the compiled unsafe building inspection report on the Mayor's desk tomorrow. Schmitt said a copy of the report will be distributed to each council member via their City Hall mail box. Mayor Schmitt further stated he would contact Mike Hile of the school corporation to discuss the results of the inspection.

Adjournment. There being no further business to come before the board, a motion was made by Councilmember Randy Buchta and seconded by

Councilmember David Prechtel to adjourn the meeting. The motion carried 6-0 and the meeting adjourned at 7:45 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 22nd day of October, 2008.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary